

PRESS RELEASE

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433

MEETING OF THE MINISTERS RESPONSIBLE FOR IMMIGRATION

Copenhagen, 1/2 June 1993

Ministers with responsibility for Immigration met in Copenhagen under the chairmanship of Mrs Birte WEISS, Minister for the Interior of the Kingdom of Denmark, and in the presence of Mr VANNI d'ARCHIRAFI, Member of the Commission of the European Communities.

Ministers expressed their abhorrence at and concern about the attacks on immigrants and applicants for asylum which have taken place in several Member States, most recently the case of arson in Solingen, Germany.

The Ministers' discussions centred on the following points:

I. ASYLUM

(i) Progress with ratification of the Dublin Convention and implementation of it

Ministers noted that six Member States had completed ratification procedures (Denmark, Greece, Italy, Luxembourg, Portugal and the United Kingdom).

Those Member States with ratification procedures in progress expressed their willingness to do their utmost to enable the Convention to enter into force as soon as possible.

Ministers took note of the drawing-up of various documents in preparation for the implementation of the Dublin Convention.

(ii) **Compilation of texts on European practice with respect to asylum**

Ministers took note of the drawing-up, further to their decision in London, of a compilation of texts on European practice with respect to asylum.

(iii) **CIREA**

Ministers expressed satisfaction at the work of the CIREA (Centre for Information, Discussion and Exchange on Asylum). Ministers particularly welcomed the collaboration established with European Political Co-operation for the purpose of better assessing the situation in some third countries.

Ministers took cognizance of the first report on the CIREA's activities.

(iv) **Convention parallel to the Dublin Convention**

Ministers took note of a note from the Presidency on its talks with Austria, Finland, Norway, Switzerland, Sweden and Canada on the draft Convention parallel to the Dublin Convention.

Ministers noted that the Dublin Convention formed part of the "acquis" built up by intergovernmental co-operation between the twelve Member States in the field of justice and home affairs, which the acceding States were to accept. They therefore asked the Presidency to continue talks with a view to the conclusion in due course of a parallel Convention with other interested European States; negotiations proper could not take place until the Dublin Convention had been ratified by the twelve Member States.

II. **DISPLACED PERSONS FROM THE FORMER YUGOSLAVIA**

Ministers stressed the importance of the conclusions adopted by them in London on 30 November 1992. They examined documents drawn up further to the decision in question.

Ministers discussed the situation in the former Yugoslavia, after which they adopted a Resolution on certain guidelines as regards the admission of particularly vulnerable groups of persons from the former Yugoslavia.

In that Resolution, Ministers:

- emphasized that, in accordance with the approach of the United Nations High Commissioner for Refugees that protection and assistance should wherever possible be provided in the region of origin, they consider that displaced persons should be helped to remain in safe areas situated as close as possible to their homes, and that the efforts of the Member States should be aimed at creating safe conditions for these persons and sufficient resources for them to be able to remain in those areas;
- reaffirmed their willingness, in co-operation with the United Nations High Commissioner for Refugees, to admit, according to their possibilities, particularly vulnerable persons.

The Ministers have invited the Ad Hoc Group Immigration to continue its work on the various aspects of the above mentioned problems.

III. REPORT TO THE EUROPEAN COUNCIL ON FREE MOVEMENT OF PERSONS

Ministers agreed to the report to the European Council on the implementation of Article 8a of the Treaty of Rome with regard to free movement of persons. The report is to be submitted to the General Affairs Council so that it can be taken into consideration by that Council in preparations for the European Council meeting on 21 and 22 June 1993.

When considering the report :

- the Commission made the declaration that is in the annex to this Communiqué ;
- Ministers discussed present or planned relaxations of controls at internal borders and the situation at external frontiers.

IV. CONTROLS AT EXTERNAL FRONTIERS

(i) **Draft Convention between the Member States of the European Communities on the crossing of their external frontiers**

Ministers took note of statements by the Presidency, Spain and the United Kingdom on talks held in order to resolve the last problem outstanding and invited the Presidency and the delegations concerned to continue their efforts.

Ministers were informed of the possible implications of the Treaty on European Union and the EEA Agreement for the draft Convention on the crossing of external frontiers.

Ministers considered that any amendments to be made to the draft Convention should be technical in character and confined to what was strictly necessary.

(ii) **Setting-up of the Centre for Information, Discussion and Exchange on the Crossing of Borders and Immigration (CIREFI)**

Ministers noted that, following their decision in London, the CIREFI had begun work.

V. VISAS

(i) **Conclusions regarding implementation of the common visa policy provided for in the draft Convention on the crossing of external frontiers**

Ministers took note of work carried out and agreed to a number of conclusions designed to enable the Convention to be applied in practice upon its entry into force.

(ii) **Visa requirements**

Ministers noted that nationals of 73 third countries required visas for all Member States.

Pending entry into force of the Treaty on European Union, Ministers asked the ad hoc Group on Immigration to continue discussing the list.

VI. ADMISSION: Resolution on harmonization of national policies on family reunification

Ministers adopted the Resolution on the basis that the question of family reunification was already regulated to some extent by international conventions, to which Member States are parties, and by fundamental provisions of their national legislation. Due account was taken of obligations under such conventions and under national legislation in the process of increasing harmonization between Member States.

In adopting this resolution, Ministers also took into account the necessity to better control migratory flows into Member States' territories. This was one of the conditions for the successful integration of immigrants lawfully resident in Member States' territories.

VII. EXPULSION: Recommendation concerning checks on and expulsion of third-country nationals residing or working without authorization

Ministers agreed to the Recommendation.

The Recommendation is based on the need for common endeavours to combat illegal immigration, as reiterated by the European Council in Edinburgh. Ministers considered that this objective presupposes the improvement of means for checking on and expelling third-country nationals who are in an irregular situation.

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Subject to entry into force of the Treaty on European Union, Ministers agreed to meet on 29/30 November and 1 December 1993.

COMMISSION STATEMENT ON THE REPORT TO THE EUROPEAN COUNCIL IN COPENHAGEN ON THE IMPLEMENTATION OF ARTICLE 8 A OF THE TREATY OF ROME WITH REGARD TO THE FREE MOVEMENT OF PERSONS.

1. The last European Council in Edinburgh reaffirmed its commitment to the full and rapid implementation of Article 8 A and invited Ministers to accelerate their work, and to report back to the Copenhagen European Council. The Commission considers that the report which has now been prepared does not fully reflect the directions given at Edinburgh as regards acceleration of progress.
2. Article 8 A has not yet been implemented, and the situation described in The Report reveals a disappointing lack of progress on these three main compensatory measures which the Edinburgh European Council referred to as particularly needing further progress. The Dublin Asylum Convention has been ratified by only 6 Member States even though it is now some three years since it was opened for signature. The wording of the Report is limited to stating that the remaining Member States will ratify it "as soon as possible". There is no indication that this will be before the end of this year. The External Frontiers Convention has been blocked for the last two years over one outstanding problem and there are no signs that a solution is in sight or that negotiations are actively being pursued. Finally, the continuing negotiations at expert level on the European Information System are moving forward slowly and will require considerable impetus if the objective of signature by the end of 1993 is to be met.
3. The inevitable conclusion is that the free movement of persons is unlikely to be achieved this year, 12 months beyond the target date set in the Treaty. The Commission could not be satisfied with this outcome.
4. The Commission considers that the attention of the European Council should be drawn to the fact that the obligation to implement Article 8 A is overdue and that a timetable for completion of compensatory measures has not been set. The unhurried approach on which reliance continues to be placed is at variance with public opinion throughout the Community that 1993 is going to produce positive and tangible results regarding the abolition of border controls and the realisation of the free movement of persons. Real progress in the forthcoming months needs to be supported by greater political determination to meet the Treaty obligations. If such progress is not achieved, the Commission is determined to take appropriate action within the scope of its responsibility to ensure that the goals of Article 8 A in the area of the free movement of persons are realised.

